

FEB 01 2000

**DECLARATION AND POWER  
OF ATTORNEY FOR UTILITY  
OR DESIGN**

**PATENT APPLICATION**

☐ Declaration Submitted with Initial Filing  
☒ Declaration Submitted after Initial Filing (surcharge)  
 37 CFR 1.16(e) required)

Attorney Docket No. INK-069

First Named Inventor Albert

**COMPLETE IF KNOWN**

Application Serial Number 09/413,444

Filing Date October 6, 1999

Group Art Unit Not yet assigned

Examiner Name Not yet assigned

**As a below named inventor, I hereby declare that:**

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Encapsulated Electrophoretic Displays Having a Monolayer of Capsules and Materials and Methods for Making the Same

(Title of the Invention)

the specification of which

☐ is attached hereto  
OR

☒ was filed on October 6, 1999 as United States Application Serial Number or PCT International

Application Number 09/413,444 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
			<input type="checkbox"/>	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Serial Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto.
60/103,398	10/07/1998	
60/118,794	02/04/1999	

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/413,444

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## DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Serial Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Steven M. Bauer	31,481	Thomas C. Meyers	36,989
Isabelle A.S. Blundell	43,321	Joseph B. Milstein	42,897
Maureen A. Bresnahan	P-44,559	David G. Miranda	42,898
Michael H. Brodowski	41,640	Ronda P. Moore	44,244
Jennifer A. Camacho	43,526	Edmund R. Pitcher	27,829
Joseph A. Capraro, Jr.	36,471	Dianne M. Rees	P-45,281
John J. Cotter	38,116	Kurt Rauschenbach	40,137
Jennifer L. Dupre	41,722	Michael A. Rodriguez	41,274
John V. Forcier	42,545	R. Stephen Rosenholm	P-45,283
Michael Giannetta	42,574	Michael J. Schmelzer	43,093
Duncan A. Greenhalgh	38,678	J. Scott Southworth	39,382
William G. Guerin	41,047	Christopher W. Stamos	35,370
Ira Heffan	41,059	Joseph P. Sullivan	P-45,349
Danielle L. Herritt	43,670	Robert J. Tosti	35,393
Elizabeth E. Kim	43,334	Thomas A. Turano	35,722
Mi Kim	P-44,830	Michael J. Twomey	38,349
Douglas J. Kline	35,574	Christine C. Vito	39,061
John D. Lanza	40,060	Patrick R.H. Waller	41,418
Timothy P. Linkkila	40,702	Yin P. Zhang	44,372
Kurt W. Lockwood	40,704		
Marianne McLaughlin	42,870		

☐ Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

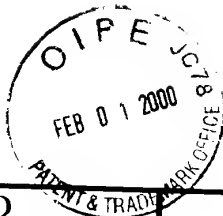
Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
11 High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name of Sole or First Inventor:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Jonathan D.				Albert			
Inventor's Signature				Date	1.21.00		
Street Address	346 Putnam Avenue			Citizenship	USA		
	City	Cambridge	State	MA	Zip	02139	Country
Post Office Address	346 Putnam Avenue						
	City	Cambridge	State	MA	Zip	02139	Country
							USA
<input checked="" type="checkbox"/> Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) attached hereto.							
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Glen				Crossley			
Inventor's Signature				Date	Jan 19/2000		
Street Address	2 Bartlett Avenue			Citizenship	Canada		
	City	Belmont	State	MA	Zip	02478	Country
Post Office Address	2 Bartlett Avenue						
	City	Belmont	State	MA	Zip	02478	Country
							USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])				Family Name or Surname			
Katharine				Geramita			
Inventor's Signature				Date	Jan 17 2000		
Street Address	188 Franklin Street, #2			Citizenship	Canada		
	City	Cambridge	State	MA	Zip	02139	Country
Post Office Address	188 Franklin Street, #2						
	City	Cambridge	State	MA	Zip	02139	Country
							USA

U.S. Serial No.: 09/413,444



**DECLARATION AND  
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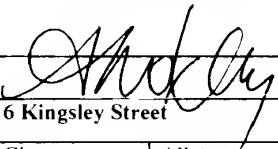
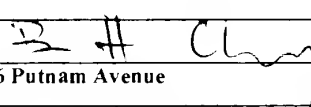
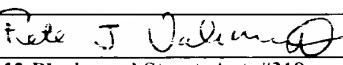
**ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 1 of 2**

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])		Family Name or Surname						
<b>Karl R.</b>		<b>Amundson</b>						
Inventor's Signature						Date	11/24/99	
Street Address	56 Kirkland Street, Apt. 1					Citizenship	USA	
	City	Cambridge	State	MA	Zip	02138	Country	USA
Post Office Address	56 Kirkland Street, Apt. 1							
	City	Cambridge	State	MA	Zip	02138	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])		Family Name or Surname						
<b>Michael L.</b>		<b>Steiner</b>						
Inventor's Signature						Date	1/19/00	
Street Address	12 Vista Circle					Citizenship	USA	
	City	Methuen	State	MA	Zip	01844	Country	USA
Post Office Address	12 Vista Circle							
	City	Methuen	State	MA	Zip	01844	Country	USA
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle [if any])		Family Name or Surname						
<b>Paul</b>		<b>Drzaic</b>						
Inventor's Signature						Date	1/19/00	
Street Address	2 Paddock Lane					Citizenship	USA	
	City	Lexington	State	MA	Zip	02421	Country	USA
Post Office Address	2 Paddock Lane							
	City	Lexington	State	MA	Zip	02421	Country	USA

DWISLON2108/39.879332

**DECLARATION AND  
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**ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
Page 2 of 2**

<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
<b>Andrew</b>				<b>Loxley</b>				
Inventor's Signature				Date	<b>19 Jan 2000</b>			
Street Address	<b>6 Kingsley Street</b>			Citizenship	<b>Great Britain</b>			
	City	<b>Allston</b>	State	<b>MA</b>	Zip	<b>02134</b>	Country	<b>USA</b>
Post Office Address	<b>6 Kingsley Street</b>							
	City	<b>Allston</b>	State	<b>MA</b>	Zip	<b>02134</b>	Country	<b>MA</b>
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
<b>Barrett</b>				<b>Comiskey</b>				
Inventor's Signature				Date	<b>11 24 99</b>			
Street Address	<b>346 Putnam Avenue</b>			Citizenship	<b>USA</b>			
	City	<b>Cambridge</b>	State	<b>MA</b>	Zip	<b>02139</b>	Country	<b>USA</b>
Post Office Address	<b>346 Putnam Avenue</b>							
	City	<b>Cambridge</b>	State	<b>MA</b>	Zip	<b>02139</b>	Country	<b>USA</b>
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any])				Family Name or Surname				
<b>Peter J.</b>				<b>Valianatos</b>				
Inventor's Signature				Date	<b>21 Jan 2000</b>			
Street Address	<b>12 Blackwood Street, Apt. #318</b>			Citizenship	<b>USA</b>			
	City	<b>Boston</b>	State	<b>MA</b>	Zip	<b>02115</b>	Country	<b>USA</b>
Post Office Address	<b>12 Blackwood Street, Apt. #318</b>							
	City	<b>Boston</b>	State	<b>MA</b>	Zip	<b>02115</b>	Country	<b>USA</b>



**PATENT**  
Attorney Docket No. INK-069

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Albert et al.  
SERIAL NO.: 09/413,444 GROUP NO.: 1741  
FILED: October 6, 1999 EXAMINER: Not yet assigned  
TITLE: Encapsulated Electrophoretic Displays Having a Monolayer of Capsules and Materials and Methods for Making Same

**ASSOCIATE POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

An associate power of attorney is hereby granted to:

NAME	REG. NO.
Daniel A. Wilson	P-45,508

in connection with the above-identified patent application.

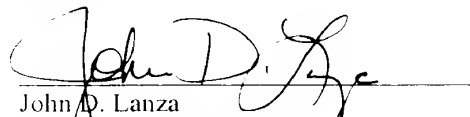
Please continue to direct all correspondence relating to the above application to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Respectfully submitted,

Date: January 28, 2000  
Reg. No. 40,060

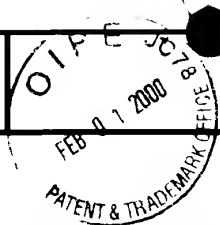
Tel. No.: (617) 248-7604  
Fax No.: (617) 248-7100

  
John D. Lanza  
Attorney for Applicant(s)  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))-- SMALL BUSINESS CONCERN**

Attorney Docket No. **INK-069**

Applicant, Patentee, or Identifier: **Albert et al.**  
Application or Patent No.: **09/413,444**  
Filed or Issued: **October 6, 1999**  
Title: **Encapsulated Electrophoretic Displays Having a Monolayer of Capsules and Materials and Methods for Making the Same**



I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: E INK Corporation.

ADDRESS OF SMALL BUSINESS CONCERN: 45 Spinelli Place, Cambridge, MA 02139.

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

NAME OF PERSON SIGNING Russell J. Wilcox

TITLE OF PERSON IF OTHER THAN OWNER Vice President, Business Development

ADDRESS OF PERSON SIGNING 45 Spinelli Place, Cambridge, MA 02139

SIGNATURE

DATE

11/24/99